

REMARKS

General Remarks

Claims 316, 318 – 320, 322, 325, 327, 354 – 357, 360 – 362, 364 – 365, 373 – 377, 379 – 382, 396 – 399, 401 – 412, 437, and 439 – 444 are pending in the application of which claims 316, 318, 320, 325, 327, 354, 360, 373, 379, 396, 409 and 437 are currently amended. Claims 1 – 315, 317, 321, 323 – 324, 326, 328 – 353, 358 – 359, 363, 366 – 372, 378, 383 – 395, 400, 413 – 436 and 438 are canceled without prejudice or disclaimer. Claims 440 – 444 are new claims.

Applicant has carefully studied the outstanding Office Action in the present application. The present amendment is intended to be fully responsive to all points of rejection raised by the Examiner in the Office Action mailed August 15, 2005, and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of all claims under consideration is respectfully requested.

Claim Rejections – 35 U.S.C. § 112

Claims 383, 386, 431 and 432 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 383, 386, 431 and 432 have been canceled without prejudice or disclaimer, thus obviating this rejection.

Allowable Subject Matter

The indication of claims 317, 318, 321, 322, 326, 327, 362, 363, 378, 379, 382, 384, 385, 398 – 408, 413, 438 and 439 as being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims is acknowledged with appreciation.

Prior Art Rejections

Claims 288 – 303, 316, 319, 320, 323 – 325, 328, 340 – 341, 354 – 359, 366, 367, 368, 373, 374, 375, 384, 387, 388, 391, 392, 393, 396, 410, 411, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 433, 434, 436 and 437 stand objected to under 35 U.S.C. 102 (b) as being anticipated by Leonard et al. (US 4,928,313).

Claims 304, 305, 308 - 311, 360, 369, 376, 389, 394, and 412 stand rejected under 35 U.S.C. 103(a) as being patentable over Leonard et al. (US 4,928,313) in view of Lodlow et al. (US 6,201,892).

Claims 306, 307, 361, 370, 377, 390 and 395 stand rejected under 35 U.S.C. 103(a) as being patentable over Leonard et al. (US 4,928,313) in view of Lodlow et al. (US 6,201,892) and further in view of Vachtsevanos et al. (US 6,269,179).

Claims 312 – 315, 409, 435, 364, 365, 371, 372, 380, 381 stand rejected under 35 U.S.C. 103(a) as being patentable over Leonard et al. (US 4,928,313) in view of Lodlow et al. (US 6,201,892) in view of Vachtsevanos et al. (US 6,269,179) and further in view of Corral (US 6,489,586).

Applicants respectfully traverse the above rejections as applied to each of the rejected claims.

Notwithstanding the foregoing, in an effort to efficiently advance prosecution, Applicants have amended the claims as follows:

Claims 216 – 315, 323, 324, 328 – 353, 366 – 372, 383 – 395, and 414 – 436 are all canceled without prejudice or disclaimer, thus obviating rejections applying to these claims.

Claims 318, 327, 360 and 379 have been amended so as not to depend from claims that were canceled.

Rejected independent claim 316 has been amended to incorporate the subject matter of its dependent claim 317, and claim 317 has been canceled without prejudice or disclaimer. Claim 317 was indicated as being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Rejected independent claim 320 has been amended to incorporate the subject matter of its dependent claim 321, and claim 321 has been canceled without prejudice or disclaimer. Claim 321 was indicated as being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Rejected independent claim 325 has been amended to incorporate the subject matter of its dependent claim 326, and claim 326 has been canceled without prejudice or disclaimer. Claim 326 was indicated as being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Rejected independent claim 354 has been amended to incorporate the subject matter of its dependent claim 363, and intervening claims 358 and 359. Claims 363, 358 and 359 have been canceled without prejudice or disclaimer. Claim 363 was indicated as being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Rejected independent claim 373 has been amended to incorporate the subject matter of its dependent claim 378, and claim 378 has been canceled without prejudice or disclaimer. Claim 378 was indicated as being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Rejected independent claim 396 has been amended to incorporate the subject matter of its dependent claim 400, and claim 400 has been canceled without prejudice or disclaimer. Claim 400 was indicated as being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Rejected independent claim 409 has been amended to incorporate the subject matter of its dependent claim 413, and claim 413 has been canceled without prejudice or disclaimer. Claim 413 was indicated as being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Rejected independent claim 437 has been amended to incorporate the subject matter of its dependent claim 438, and claim 438 has been canceled without prejudice or disclaimer. Claim 438 was indicated as being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In view of the foregoing, Applicants respectfully request the Examiner to withdraw the rejections of independent claims 316, 320, 325, 354, 373, 396, 409, 437 and of their respective dependent claims, claims 318, 319, 322, 327, 355 – 357, 360 – 362, 364, 365, 374 – 377, 379 – 382, 397 – 399, 401 – 408, 410 – 412 and 439, all of which are patentable at least by virtue of their dependency, directly and ultimately, from the above patentable independent claims.

New Claims

Claims 440 – 444 are new claims.

Claim 440 includes the subject matter of rejected claim 320 and of its dependent claim 322. Claim 322 was indicated as being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In view of the foregoing, entry and allowance of claim 440 is respectfully requested.

Claim 441 includes the subject matter of rejected claim 325 and of its dependent claim 327. Claim 327 was indicated as being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In view of the foregoing, entry and allowance of claim 441 is respectfully requested.

Claim 442 includes the subject matter of rejected claim 354 and of its dependent claim 362. Claim 362 was indicated as being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In view of the foregoing, entry and allowance of claim 442 is respectfully requested.

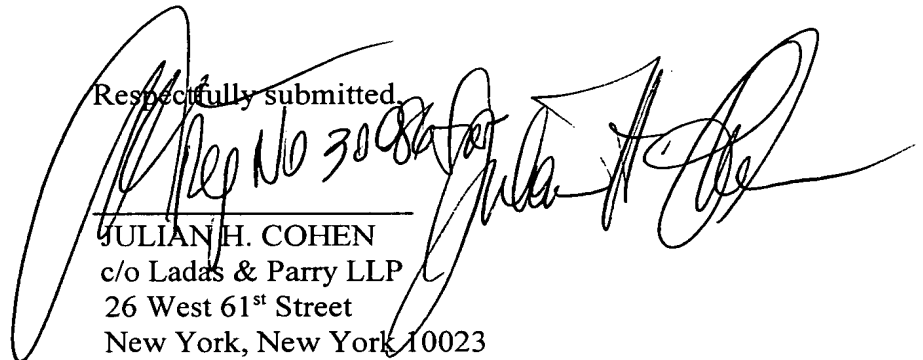
Claim 443 includes the subject matter of rejected claim 373 and of its dependent claim 379. Claim 379 was indicated as being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In view of the foregoing, entry and allowance of claim 443 is respectfully requested.

Claim 444 includes the subject matter of rejected claim 373 and of its dependent claim 382. Claim 382 was indicated as being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In view of the foregoing, entry and allowance of claim 444 is respectfully requested.

Conclusion and Request for Interview

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

Respectfully submitted,

A large, stylized handwritten signature in black ink, likely belonging to Julian H. Cohen, is written over the typed name and address. The signature is fluid and cursive, with a large loop at the beginning and end.

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